



07-24-06

RC 2 (TW)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL FORM (37 C.F.R. § 1.114)

DOCKET NO. 11443/72	APPLICATION SERIAL NO. 10/099,634	EXAMINER Beverly Meindl Flanagan	ART UNIT 3739
INVENTOR: Michael P. Whitman			
<p>Address to:  <b>Mail Stop RCE</b>          Commissioner for Patents          P.O. Box 1450          Alexandria, VA 22313-1450</p>			
<p>This is a <b>Request for Continued Examination</b> under 37 C.F.R. § 1.114 (RCE) for pending application Serial No. 10/099,634, filed on March 15, 2002, entitled <b>ELECTRO-MECHANICAL SURGICAL DEVICE</b>.</p> <p>The following constitute the submission <u>required</u> by 37 C.F.R. § 1.114(a) and is attached:</p> <p><input checked="" type="checkbox"/> Amendment  <input type="checkbox"/> Information Disclosure Statement and Form PTO-1449  <input type="checkbox"/> Drawing Changes  <input type="checkbox"/> Other Submission: _____</p>			

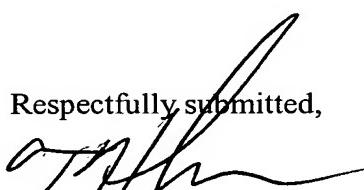
1. The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA*	RATE (\$) PER CLAIM	FEE (\$)
BASIC FEE						790.00
TOTAL CLAIMS	31	-	33	0	50.00	0.00
INDEPENDENT CLAIMS	5	-	11	0	200.00	0.00
MULTIPLE DEPENDENT CLAIM					360.00	
07/25/2006 SSITHIB1 00000066 110600 10099634 01 FC:2801 395.00 DA				Number extra must be zero or larger	TOTAL	790.00
	If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.				SMALL ENTITY TOTAL	395.00

2. Please charge the required RCE and submission filing fee of **\$395.00** to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.
3. Applicants respectfully request a **three-month extension of time** for responding to the Final Office Action mailed January 23, 2006, for which a three-month response period expiring on April 23, 2006 was set. The three-month extended period for response expires on July 23, 2006. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. §1.136(a) three month extension fee of **\$510.00** to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.
4. The Commissioner is hereby authorized to charge payment of the fees, including any additional fees required, associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.
5. A duplicate copy of this transmittal form is enclosed.

Dated: July 21, 2006

Respectfully submitted,

  
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Thomas C. Hughes  
Reg. No. 42,674

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